



ఆంధ్రప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
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W.No.31

AMARAVATI, MONDAY, AUGUST 5, 2024

G.364

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**ADDITIONAL SENIOR CIVIL JUDGE'S COURT
TENALI**

Tuesday, this the 28th day of November, 2023

Insolvency Petition No.18 of 2020

Between:

Shaik Shakira W/o.Subhani, Muslim, aged about 51 years, Housewife, R/o.D. No.4-31-5/22, Opp : Ratna Apartments, Siddhardha Colony, Nandulapet, Tenali.
...Petitioner

And

1. Shaik Amina Bi W/o.Shaik Mastan, Muslim, aged about 49 years, Housewife, R/o.Erukala Colony, 4th line, Nandulapet, Tenali.
2. Smt.Kolluri Devi W/o.Military Mamaiah, Hindu, aged about 45 years, Housewife, R/o.D.No.4-29-137, R/o.Erukala Colony, 3rd line, Nandulapet, Tenali.
3. Shaik Mastani W/o.Mastan, Muslim, aged about 50 years, Housewife, R/o.Erukala Colony, 4th line, Nandulapet, Tenali.
4. Katta Venkata Ratnam W/o.Rambabu, Hindu, aged about 45 years, Housewife, R/o.1st line, Siddhardha Colony, Nandulapet, Tenali.
5. M. Renuka W/o.Bujji, Muslim, aged about 46 years, Housewife, R/o.Bhaskara Raopet, Near Erukala Colony, Nandulapet, Tenali.
6. Shaik Rahimta W/o.Late Saleem, Muslim, aged about 45 years, Housewife, R/o.3rd ward, side lane of Kolluru Sridhar Telugu Desam Office, Teachers colony, Nandulapet, Tenali.

7. S. Krishna W/o.Yedukondalu, Hindu, aged about 45 years, Housewife, R/o.3rd ward, side lane of Kolluru Sridhar Telugu Desam Office, Teachers colony, Nandulapet, Tenali.
8. Gonuguntla Sambrajyam W/o.Panduranga Rao, Hindu, aged about 48 years, Housewife, C/o.in the house of Aggipettela Sambaiah, Teachers colony, Nandulapet, Tenali.
9. Palaparthi Subbamma W/o.Seethaiah, Hindu, aged about 50 years, Housewife, R/o.Erukala colony, 2nd line, Nandulapet, Tenali.
10. Gandikota Ramana W/o.Sankar, Hindu, aged about 50 years, ATLU Business, R/o.Erukala colony, 1st line, Nandulapet, Tenali.
11. Shaik Khairon W/o.Shaik Sowkath, aged about 55 years, Housewife, R/o. In the house of Silpala Seenu, Opp : Shamshi Shop, Nandulapet, Tenali.
12. Gogada Jhansi W/o.Venkata Rao, Hindu, aged about 40 years, Housewife, R/o.D.No.4-29-98, Near Church, Erukala Colony, 2nd line, Nandulapet, Tenali.
13. Shaik Salaam S/o.Gafoor, Muslim, aged about 24 years, Tailor, R/o.Erukala colony, 4th line, Nandulapet, Tenali.
14. Shaik Azeez S/o.Shamshuddin, Muslim, aged about 38 years, Business, R/o.Kathevaram village, Tenali Mandal, Guntur District.
15. Bellamkonda Kamala W/o.Venkateswarlu, aged about 42 years, Housewife, R/o.Erukala Colony, 1st line, Nandulapet, Tenali, Guntur District.
16. T. Parvathi W/o.Srinu, Hindu, aged about 40 years, Housewife, R/o.D.No.4-29-86, Erukala Colony, 1st line, Nandulapet, Tenali, Guntur District.
17. Shaik Razia W/o.Basheeruddin, Muslim, aged about 45 years, Housewife, R/o.Bhaskara Raopet, Erukala colony, Nandulapet, Tenali, Guntur District.
18. Shaik Apsara W/o.Kalesha, Muslim, aged about 38 years, Housewife, R/o.D.No.4-29-52/6, Erukala colony, 1st line, Nandulapet, Tenali, Guntur District.
19. Shaik Jareena W/o.Subhani, Muslim, aged about 58 years, Kirana Shop business, R/o.near Erukala colony, Nandulapet, Tenali.
20. M. Lakshmi W/o.Seshu, Hindu, aged about 35 years, Housewife, R/o.D.No.4-29-167, Erukala colony, 3rd line, Nandulapet, Tenali.
21. Shaik Rasool S/o.Subhani, Muslim, aged about 35 years, Business, R/o.3rd line, Erukala colony, Nandulapet, Tenali.
22. Shaik Darga Gun Saida S/o.Darga Jani, Muslim, aged about 45 years, Business, R/o.D.No.4-29-92, 1st line, Erukala colony, Nandulapet, Tenali.
23. Gudikandula Varalakshmi W/o.Name not known, Hindu, aged about 35 years, Anganwadi Teacher, R/o.Bhaskara Raopet, 3rd line, near Erukala colony, Nandulapet, Tenali.
24. Shaik Sir Taj W/o.Babu, Muslim, aged about 35 years, Housewife, R/o.in the house of Silpala Seenu, Siddhardha colony, 2nd line, Nandulapet, Tenali, Guntur District.

...Respondents

This Insolvency Petition is coming on 22.11.2023 before me for hearing in the presence of Sri K. Venkateswara Rao, Advocate for Petitioner and Respondents 1 to 24 remained set exparte and upon hearing and considering the material on record, having stood over for consideration till this day, this Court made the following:

:: O R D E R ::

1. This insolvency petition is filed under Section 10 of Provincial Insolvency Act, 1920 to adjudicate the petitioner is as an insolvent ; to administer the estate of the petitioner under the provisions of provincial insolvency act ; to grant interim protection to the petitioner from being arrested in any proceedings ; and to grant such other reliefs.

2. The case of the petitioner in a nutshell is as follows:

The petitioner had ran private chits for ten years. Some of the participants of the chit took the prize amount and failed to pay the remaining installments. Petitioner borrowed monies from respondents as hand loans and by executing pronote for her chit business, on higher rate of interest and gave the amounts to the prized subscribers. With that amounts she used to run the chits. Petitioner paid some interest amounts to some of the respondents at higher rate of interest. The petitioner is suffering with health problems and she was forced to spent huge amounts for her medicines. The petitioner's husband due to electric shock and burn injuries to his body and he was completely bedridden. The petitioner is also spending huge amounts for his treatment. Due to heavy interest and health problems, the petitioner suffered continuous losses for years together. The petitioner could not run the chits. The petitioner became dependent person upon her relatives and she is unable to pay the debts due to the respondents completely.

Now the petitioner and his family is facing starvation due to financial stringencies. The respondents are harassing the petitioner and his family members for their amounts. The petitioner understood that she has no other way except to file this petition before this Hon'ble Court to her life security from the illegal and highhanded hands of his respondents. The petitioner is not having any movable or immovable properties on her name or in her possession and no sale transactions of any property of the petitioner were taken place within period of three months prior to filing of this petition. The petitioner has not filed any similar petitions before any Court of law and there is no collusion between the petitioner and the respondents in filing this petition. Hence, this petition is filed.

3. The respondents 1 to 24 remained exparte to this proceedings though they received notices from this Court and some of the respondents even refused to receive the notices.

4. On behalf of the petitioner, petitioner was examined as PW1 and no documents were admitted through her.

5. Heard petitioner's counsel. Perused the material available on record.

6. Now the point for determination is:

Whether the petitioner can be adjudicated and to declare as an insolvent as prayed for?

7. **POINT :**

I) Sec.10 of the Provincial Insolvency Act specifies the conditions on which the debtor may present petition. A debtor shall be entitled to present in Insolvency Petition only:-

1. When he is unable to pay his debts; or

2. When his debts are more than his assets; or

3. When he is under arrest or imprisonment in execution of the decree of any Court for the payment of money ; or

4. When an order of attachment in execution of such a decree has been made, and is subsisting against his property.

ii) The case of the petitioner is that the petitioner did private chit business. The petitioner did not choose to submit any documentary evidence or any other evidence to establish the fact that she has done the business from last 10 years. It is also an admitted fact that there is no whisper in the pleadings and evidence about the quantum of loss sustained to her. Though the petitioner stated that the subscriber did not choose to repay the amount even they received prize amount no such, particulars are furnished by her. However, facts which are pleaded and averred by the petitioner that she sustained loss in the business due to health problem and due to her husband's bedridden was remained unchallenged due to non-filing of counter and in view of non-cross examination of PW1.

iii) In fact, there is no whisper in his evidence about the quantum of amounts borrowed from the respondents by way of pleadings though she got mentioned in A schedule as Rs.115,96,000/-. Therefore, the unchallenged evidence adduced by the PW1, the A-schedule given by her shows she became due of Rs.15,96,000/- to respondents 1 to 24 whereas C-schedule shows she is having wearing apparels worth of Rs.1233/-. Therefore, the unchallenged evidence of PW1 and the pleadings of the petitioner coupled with schedule given by her clearly shows she became due to the respondents to the tune of Rs.15,96,000/- and she is not in a

position to discharge the said debts. The respondents did not choose to challenge the case of petitioner in any manner which includes maintainability of the petition. Hence, she is entitled to declare as an insolvent.

iv) In fact, the petitioner also sought for relief of to grant interim protection from being arrested in any proceedings. The same cannot be granted in this proceedings as already the proceedings came to an end. If she declared as insolvent, she will certainly entitled for the protection from being arrested in any civil proceedings for the recovery of amount. Therefore, this petition is to be allowed.

8. In the result, the petition is allowed without costs and the petitioner is adjudicated as insolvent and she shall apply for discharge within six months. The properties of the petitioner are vested with the Official Receiver, if any. Office is directed to communicate a copy of this order and draft Gazette to the District Collector, Guntur along with draft gazette for publication in Official Gazette as per Section 30 of Provincial Insolvency Act, 1920.

(Typed to my dictation by the Typist, corrected and pronounced the operating portion of the order by me in open Court, this the 28th day of November, 2023.)

MARUPU SREEDHAR,
*Additional Senior Civil Judge,
Tenali.*

Appendix of Evidence
Witnesses Examined

For Petitioner:

P.W.1- Shaik Shakira

For Respondents:

- Exparte -

Exhibits Marked*For Petitioner:*

Nil

For Respondents:

Nil

MARUPU SREEDHAR,
Additional Senior Civil Judge,
Tenali.
[Dis.No. 501.]

I.P.No. 78/2020

Between:

Shaik Shakira

– Petitioner –debtor

And

Smt.Shaik Amina Bi and others

- Respondents

'A' schedule filed on behalf of the petitioner**(Liabilities)**

- | | | |
|--------------------------------|---------------|-----------------|
| 1. Smt.Shaik Amina Bi | -- Hand loan | Rs. 2,60,000-00 |
| 2. Smt.Kolluri Devi | - Hand loan | Rs. 2,20,000-00 |
| 3. Smt.Shai Mastani | - Hand loan | Rs.1,60,000-00 |
| 4. Smt.Katta Venkataratnam | - pronote - | Rs. 80,000-00 |
| 5. Smt.M. Renuka | - Hand loan - | Rs. 80,000-00 |
| 6. Smt.Shaik Rahimta | - Hand loan - | Rs. 80,000-00 |
| 7. Smt. S.Krishna | - Hand loan - | Rs. 65,000-00 |
| 8. Smt. Gonuguntla Sambraajyam | - Hand loan - | Rs. 55,000-00 |
| 9. Smt.Palaparthi Subbamma | - hand loan - | Rs. 55,000-00 |

10. Smt.Gandikota Ramana	- Hand loan -	Rs. 50,000-00
11. Smt.Shaik Khairoon	- hand loan -	Rs. 50,000-00
12. Smt. Gogada Jhansi	- Hand loan -	Rs. 45,000-00
13..Shaik Salaam	- Hand loan -	Rs. 40,000-00
14 shaik Azeez	- Hand loan-	Rs. 30,000-00
15. Smt.Bellamkonda Kamala	- Hand loan -	Rs. 30,000-00
16. Smt. T.Parvathi	- Hand loan	Rs. 25,000-00
17. Smt.Shaik Razia	- hand loan	Rs. 25,000-00
18. Smt.Shaik Apsara	- Hand loan -	Rs. 50,000-00
19. Smt. Shaik Jareena	- Hand loan-	Rs. 25,000-00
20. Smt.M.Lakshmi	- Hand loan	Rs. 15,000-00
21 Smt. Shaik Rasool	- Hand loan	Rs. 15,000-00
22. Shaik Darga Gunshaida	- Hand loan	Rs. 50,000-00
23. Smt. Varalakshmi	- Hand loan	Rs. 45,000-00
24. Smt. Shaik Sir Taj	- Hand loan	Rs. 48,000-00

Total

Rs.15,96,000-00

R. Se

Advocate for petitioner

L.T.I. of Shaik

Petitioner

I do hereby declare that the facts stated above are true to the best of my knowledge, information and belief.

Tenali,

Dt. 24-02-2020

L.T.I. Shaik S

Petitioner

Attached to decree



ASCS

**IN THE COURT OF THE HONOURABLE ADDITIONAL
SENIOR CIVIL JUDGE: TENALI**

I.P.No. 78/2020

Between:

Shaik Shakira

– Petitioner –debtor

And

Smt.Shaik Amina Bi and others – Respondents

'B' schedule filed on behalf of the petitioner

(Immovable properties)

-NIL-

R. Se

Advocate for petitioner

L.T. Ig Shaik

Petitioner

I do hereby declare that the facts stated above are true to
the best of my knowledge, information and belief.

Tenali,

L-T. Ig Shaik

Dt. 24-02-2020

Petitioner

Attached to decree

ASC 5

**IN THE COURT OF THE HONOURABLE ADDITIONAL
SENIOR CIVIL JUDGE: TENALI**

I.P.No. 18 / 2020

Between:

Shaik Shakira

— Petitioner —debtor

And

Smt.Shaik Amina Bi and others

- Respondents

- 'E' schedule filed on behalf of the petitioner

(abstract)

'A' schedule liabilities

--- Rs. 15,96,000-00

'B' schedule immovables --

NIL

'C' schedule movables --

Rs.1233-00

'D' schedule outstandisngs- -

Rs.1233-00

1233-00

Deficit -

Rs.15,94,767-00

R. Se

Advocate for petitioner

L.T.I of Shaik Sha

Petitioner

I do hereby declare that the facts stated above are true to the best of my knowledge, information and belief.

Tenali,

L.T.I of Shaik Sha

Petitioner

Dt. 24-02-2020

Attached to decree

18/2

**IN THE COURT OF THE HONOURABLE ADDITIONAL
SENIOR CIVIL JUDGE: TENALI**

I.P.No. 18/2020

Between:

Shakir Shakira

– Petitioner –debtor

And

Shri Shri Amina Bi and others. – Respondents

- C schedule filed on behalf of the petitioner

(Movables)

Sarees	-- 2	--	Rs.400-00
Langaru	-- 2	--	Rs.100-00
Jackets -	- 2	-	Rs. 50-00
Burakhas	- 2	-	Rs. 100-00
Blanket	- 2	-	Rs. 200-00
Utensils		--	Rs. 433-00

			Rs.1233-00

R. Se

Advocate for petitioner

L.T. Iq. Shakir Sh
Petitioner

I do hereby declare that the facts stated above are true to the best of my knowledge, information and belief.

Tenali,

Dt.24-02-2020

L.T. Iq. Shakir Sh

Petitioner

Attached to decree

11/11
ASCS

**IN THE COURT OF THE HONOURABLE ADDITIONAL,
SENIOR CIVIL JUDGE: TENALI**

I.P.No. 18/2020

Between:

Sh. Shakira

- Petitioner -debtor

Sh. Sha Bi and others

- Respondents

-D schedule filed on behalf of the petitioner

(Outstandings)

-NIL-

R. Se
Associate for petitioner

T. I. of Shaik Sheel
Petitioner

I do hereby declare that the facts stated above are true to the best of my knowledge, information and belief.

Tenali,

T. I. of Shaik Sheel
Petitioner

Dt.24-02-2020

Dis No 501
09/12/20